

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

The defendant's letter dated June 28, 2010, addressed to the "Clerk of The Court" has been filed as a motion for copies, filing 369. In that letter the defendant claims he has "made several attempts to contact Ms. Jessica L. Milburn, Attorney At Law . . . . My reason for contacting Ms. Milburn, is to obtain Legal Documents, that my attorney Mike Levy left to her before his passing."

The defendant claims that he needs these copies because “[T]hese documents are very crucial (sic) to my filing of a proper response to my 2255 motion . . .”

Without knowing whether Ms. Milburn does have custodial possession of the documents requested by the defendant from the defendant's deceased counsel's files, it seems appropriate for me to request Ms. Milburn to file a response stating whether she is the custodian of Mike Levy's files regarding the above-titled case and whether those files contain the items the defendant requests in his letter, filing 369.

IT IS THEREFORE ORDERED that on or before August 16, 2010, Jessica Milburn shall file and serve a document setting forth whether she does have custodial possession of Mike Levy's files in this case and whether those files contain the items the defendant requests in his letter, filing 369.

Dated July 29, 2010.

BY THE COURT

s/ Warren K. Urbom  
United States Senior District Judge